

**Amendments to the Claims:**

Please amend claims 7, 8 and 21 as follows.

Please cancel claims 1-6, 14-20 and 22-29 without prejudice.

Please add new claims 30-33 as follows:

All amendments and cancellations to the claims are made without prejudice or disclaimer.

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1-6 (Cancelled)

7. (Currently amended) A method for detecting a cancerous cell, said method comprising:

detecting a level of a gene product, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or complements thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 ~~corresponding to any one of SEQ ID NOS:1-23767~~ and complements thereof, and

comparing the level of the gene product to a control level of said gene product;

wherein the presence of a cancerous cell is indicated by detection of an increase in said level of the gene product in ~~and~~ comparison to a control level of the gene product.

8. (Currently amended) The method of claim 7, wherein said cancerous cell is a cancerous breast, colon or prostate cell eell.

9. (Original) The method of claim 7, wherein said gene product is nucleic acid.

10. **(Original)** The method of claim 7, wherein said gene product is a polypeptide.

11. **(Original)** The method of claim 7, wherein said detecting step uses a polymerase chain reaction.

12. **(Original)** The method of claim 7, wherein said detecting step uses hybridization.

13. **(Original)** The method of claim 7, wherein said sample is a sample of tissue suspected of having cancerous cells.

Claims 14-20 **(Cancelled)**

21. **(Currently amended)** A method for assessing the tumor burden of a subject, said method comprising:

detecting a level of a gene product ~~corresponding to any one of SEQ ID NOS:1-23767~~ in a test sample from a subject, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or complements thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 or complements thereof;

wherein the level of said gene product in the test sample is indicative of the tumor burden in the subject.

Claims 22-29 **(Cancelled)**

30. **(New)** A method of diagnosing cancer comprising:

a) determining the level of a nucleotide sequence having at least 95% sequence identity to SEQ ID NO:23702, or a complement thereof, in a patient sample; and

b) comparing said level of nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising a negative control comprising non-cancerous tissue;

wherein an increase of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has cancer.

31. (New) The method of claim 30 wherein the increase is at least 100% compared with the negative control.

32. (New) The method of claim 31 wherein the increase is at least 200% compared with the negative control.

33. (New) The method of claim 30 wherein the cancer is breast, colon or prostate cancer.